

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

TRUSTEES OF THE PLUMBERS AND
PIPEFITTERS NATIONAL PENSION
FUND, *et al.*,

Plaintiffs,

V.

GM MECHANICAL, INC.,

Defendant.

Case No. 1:13-cv-00882-GBL-JFA

ORDER & FINAL JUDGMENT

Upon consideration of the December 17, 2013 Report and Recommendation of United States Magistrate Judge Anderson, who was designated to conduct a hearing in this matter, no objection having been filed within fourteen days, and upon an independent review of the record,

IT IS HEREBY ORDERED that the Court adopts as its own the findings of fact and accepts the recommendation¹ of United States Magistrate Judge Anderson;

IT IS FURTHER ORDERED that Plaintiffs' Motion for Default Judgment (Doc. 9) is **GRANTED**;

IT IS FURTHER ORDERED that **JUDGMENT** is **ENTERED** in favor of Plaintiffs
Trustees of the Plumbers and Pipefitters National Pension Fund and Trustees of the International

¹ In the Factual Background section (page 4), it mistakenly states that \$53,233.93 was owed for Local Union No. 162, when the Motion for Default Judgment and supporting documentation states that \$53,234.33 was owed. (Doc. 9, Ex. A.) Due to this clerical error, the total amount due in contributions to the National Pension Fund in the Factual Background section erroneously states \$90,780.55 rather than the correct amount of \$90,780.95. The remaining portion of the Report and Recommendation, specifically the Proposed Findings and Recommendations states that correct total owed as 90,780.95. The Court adopts the correct total found in the Proposed Findings and Recommendations.

Training Fund, and against Defendant GM Mechanical, Inc. pursuant to Rule 58 of the Civil Rules of Procedure;

IT IS FURTHER ORDERED that Plaintiff Trustees of the Plumbers and Pipefitters National Pension Fund shall recover from Defendant GM Mechanical, Inc. a total of \$90,780.95 in delinquent contributions, \$9,078.10 in liquidated damages, and \$15,974.25 in accrued interest (as of 12/13/2013). Plaintiff Trustees of the International Training Fund shall recover from Defendant GM Mechanical, Inc. a total of \$7,228.41 in delinquent contributions, \$1,445.68 in liquidated damages, and \$1,224.87 in accrued interest (as of 12/13/2013). Pursuant to the Restated Trust Agreement, interest on the unpaid contributions continues to accrue at a rate of 12% per annum from the date that the payments were due until payment is received. In addition, Plaintiffs shall recover from Defendant GM Mechanical, Inc. \$1,650.00 in attorneys' fees and \$911.29 in costs.

IT IS SO ORDERED.

ENTERED this 6th day of January, 2014.

Alexandria, Virginia
1 / 6 / 2014

/s/
Gerald Bruce Lee
United States District Judge